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FRANKLIN COUNTY PLANNING AND ZONING
PLANNING AND ZONING COMMISSION
FRANKLIN COUNTY GOVERNMENT CENTER
SECOND FLOOR COMMISSION CHAMBERS
400 EAST LOCUST STREET
UNION, MISSOURI 63084

TRANSCRIPT OF PROCEEDINGS
PLANNING AND ZONING COMMISSION
PUBLIC HEARINGS
MARCH 19, 2024
(COMMENCING AT 7:00 P.M.)

REPORTED BY:
PATSY A. MAYBERRY, C. R.
COMPLETE REPORTING SERVICES

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19 BROOKMOORE DRIVE
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(636)221-0418

	I N D E X	
	PROCEEDING	PAGE
1		
2		
3	CALL TO ORDER AND ROLL CALL	6
4	DISCLOSURES	7
5	MEETING PROCEDURES AND EXHIBITS	7
6	APPROVAL OF MINUTES DECEMBER 19, 2023	9
7	COMMUNICATIONS AND VISITOR COMMENTS	10
8	P U B L I C H E A R I N G S	
9	UNFINISHED BUSINESS - NONE	10
10	NEW BUSINESS:	
11	FILE 240041 - TRIPLE 3 VINEYARD WINERY & EVENTS,	
12	L. L. C.:	
13	PRESENTATION BY MS. EAGAN	10
14	PRESENTATION BY APPLICANT	12
15	PUBLIC COMMENTS	34
16	DISCUSSION	44
17	TABLED TO NEXT MEETING	97
18	PRELIMINARY PLATS - NONE	97
19	PLANNING AND ZONING COMMISSION FORUM	98
20	PLANNING DIRECTOR'S REPORT	98
21	ADJOURNMENT	99
22	CERTIFICATE OF REPORTER	101
23		
24		
25		

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

E X H I B I T S

IDENTIFICATION	DESCRIPTION	PAGE
COUNTY:		
EXHIBIT A	PLANNING AND ZONING REGULATIONS	8
EXHIBIT B	FRANKLIN COUNTY ZONING MAP	8
EXHIBIT C	FRANKLIN COUNTY MASTER PLAN	8
EXHIBIT D	FILES FOR ALL CASES HEARD	8

(NOTE: ALL EXHIBITS, IF ANY, WERE RETAINED BY THE PARTIES AND ARE NOT ATTACHED HERETO.)

1 A P P E A R A N C E
2 PLANNING AND ZONING COMMISSION:
3 BILL EVANS, CHAIRMAN
4 STAN VOSS, COMMISSIONER
5 BILL McLAREN, COMMISSIONER
6 DEBBIE WILLETTE, COMMISSIONER
7 JIM GRUTSCH, COMMISSIONER
8 DAN HAIRE, COMMISSIONER
9 MIKE KLENKE, COMMISSIONER
10 KARL MITTLER, COMMISSIONER
11 DAVE LARAMORE, COMMISSIONER
12 PLANNING AND ZONING STAFF:
13 SCOTTIE EAGAN, DIRECTOR PLANNING AND ZONING
14 CRYSTAL HOLDMEIER, PLANNING ASSISTANT
15 LEGAL COUNSEL:
16 MARK PIONTEK, COUNTY COUNSEL
17 COMPLETE REPORTING SERVICES:
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1 P R O C E E D I N G S

2 (MARCH 19, 2024)

3 CHAIRMAN EVANS: I'd like to
4 call to order the March 19th meeting of the Franklin
5 County Planning and Zoning Commission.

6 Scottie, if you please take roll.

7 MS. EAGAN: Bill Evans?

8 CHAIRMAN EVANS: Here.

9 MS. EAGAN: Jim Grutsch?

10 COMMISSIONER GRUTSCH: Here.

11 MS. EAGAN: Dan Haire?

12 COMMISSIONER HAIRE: Here.

13 MS. EAGAN: Mike Klenke?

14 COMMISSIONER KLENKE: Here.

15 MS. EAGAN: Dave Laramore?

16 COMMISSIONER LARAMORE: Here.

17 MS. EAGAN: Bill McLaren?

18 COMMISSIONER McLAREN: Here.

19 MS. EAGAN: Karl Mittler?

20 COMMISSIONER MITTLER: Here.

21 MS. EAGAN: Tim Reinhold?

22 COMMISSIONER REINHOLD: (Not
23 present.)

24 MS. EAGAN: Stan Voss?

25 COMMISSIONER VOSS: Here.

1 MS. EAGAN: And, Debbie
2 Willette?

3 COMMISSIONER WILLETTE: Here.

4 MS. EAGAN: Okay. We have a
5 quorum.

6 CHAIRMAN EVANS: Thank you.

7 And at this time, I will give the
8 Planning and Zoning Commissioners the opportunity to
9 declare any conflict, communication or relationship
10 they may have had that might influence their ability
11 to consider today's issues impartially.

12 (NONE)

13 If there are no declarations, Scottie,
14 will you please give us the presentation of the
15 meeting procedures and exhibits.

16 MS. EAGAN: Tonight's
17 Planning Commission meeting is governed by the
18 Franklin County Unified Land Use Regulations.

19 Some matters on the agenda may be for
20 action by the Planning and Zoning Commission. These
21 matters do not involve public hearings.

22 Other matters on the agenda require
23 public hearings under Missouri law. If a matter
24 involves a public hearing, all individuals who
25 desire to testify will be given an opportunity to do

1 so.

2 At this time, I would like to place
3 into the record these regulations as Exhibit A, the
4 official Zoning Map as Exhibit B, the official
5 Master Plan as Exhibit C, and the case file for each
6 case as Exhibit D for all the cases to be heard
7 during the meeting.

8 (THEREUPON, EVIDENCE WAS
9 MARKED FOR IDENTIFICATION AND
10 SUBMITTED FOR THE RECORD AS
11 EXHIBITS A, B, C, AND D.)

12 All Unfinished Business items on the
13 agenda will be dealt with first. Once the
14 Unfinished Business issues have been taken care of,
15 each item of New Business will be opened.

16 As each case is opened, a staff report
17 will first be read to the Commission, followed by
18 any questions for the staff.

19 Then if anyone in the audience would
20 like to speak or comment on a file that is part of
21 the public hearing, they must first print their name
22 on the sign-in sheet provided, and then be sworn in.

23 When it is your turn to speak, you will
24 come to the front of the room to address the
25 Commission and only the Commission, not anyone in

1 the audience, with your comments.

2 It is possible for the Planning
3 Commission to decide to move a New Business issue to
4 Unfinished Business and vote on it the same night.

5 At the conclusion of all questions,
6 comments, and discussion concerning each case, the
7 Planning Commission will proceed. Any final
8 decision by the Planning and Zoning Commission
9 concerning Conditional Use Permits may be appealed
10 to the Board of Zoning Adjustment any time within 90
11 days.

12 Applications for such an appeal may be
13 acquired from the Department offices during normal
14 business hours.

15 CHAIRMAN EVANS: Thank you.

16 All of the Commissioners should have
17 received a copy of the December 19, 2023 minutes.
18 If there are no additions or corrections, the Chair
19 would entertain a motion to approve.

20 (NONE)

21 COMMISSIONER McLAREN: Motion
22 to approve as presented.

23 COMMISSIONER GRUTSCH:
24 Second.

25 CHAIRMAN EVANS: We have a

1 motion and a second to approve the December 19th
2 minutes. All in favor signify by saying aye.

3 COMMISSIONER VOSS: Aye.

4 COMMISSIONER McLAREN: Aye.

5 COMMISSIONER WILLETTE: Aye.

6 COMMISSIONER GRUTSCH: Aye.

7 CHAIRMAN EVANS: Aye.

8 COMMISSIONER HAIRE: Aye.

9 COMMISSIONER KLENKE: Aye.

10 COMMISSIONER MITTLER: Aye.

11 COMMISSIONER LARAMORE: Aye.

12 CHAIRMAN EVANS: Opposed?

13 (NONE)

14 The minutes are approved.

15 Communication and Visitors Comments.

16 Anyone present wishing to address the Commission?

17 (NONE)

18 If not, we'll move on to Unfinished
19 Business. We have none.

20 That brings us to New Business. File
21 240041, Triple 3 Vineyard Winery and Events, L. L.
22 C.

23 Scottie, will you please give us the
24 details.

25 MS. EAGAN: This is File

1 240041. The applicant is Triple 3 Vineyard Winery &
2 Events, L. L. C.

3 The applicant is requesting to host
4 Special Events, Occasional in the W Zoning District.

5 The property is located at 3665 Sunny
6 Road, approximately .25 miles south of Highway KK in
7 Lyon Township.

8 THE FACTS: The total area for the
9 property is approximately 24 acres.

10 The zoning of this property is W. In
11 this district, Special Events, Occasional requires a
12 Conditional Use Permit. The applicant would like to
13 hold multiple ticketed events on this property.

14 This property currently has two Special
15 Event permits to host weddings and other similar
16 events, one for their banquet center and one for
17 their new production facility.

18 The surrounding properties are zoned W.

19 This property has access to Sunny Road.
20 This is a County-maintained road with a right-of-way
21 width that varies between 45 feet and 60 feet in
22 width.

23 This property is surrounded primarily
24 by low-density residential properties.

25 STAFF COMMENTS: Any buildings used or

1 built in connection with this CUP will need to be
2 approved by the Franklin County Building Department
3 for a commercial building.

4 All new and/or existing entrances onto
5 Sunny Road will need to be examined by the Franklin
6 County Highway Department for a commercial entrance.
7 Planning and Zoning shall receive a copy of the
8 permit prior to the applicant commencing any
9 activities on the property.

10 All conditions shall be completed
11 within one year of approval unless otherwise stated.
12 Failure to meet all conditions may result in the
13 applicant expiring.

14 Parking shall be provided in accordance
15 with the Franklin County Unified Land Use
16 Regulations.

17 CHAIRMAN EVANS: Thank you.

18 Is the applicant present? Will you
19 please come forward. State your name and address
20 and sign in.

21 MR. DANIEL BAKER: Daniel
22 Baker. The address is 4233 Highway 185, and it's
23 New Haven, Missouri.

24 (THEREUPON, THE WITNESS WAS

25 SWORN.)

1 CHAIRMAN EVANS: Go ahead and
2 tell us what you're proposing.

3 MR. BAKER: Yes, thank you.

4 So what -- I think some of you guys
5 have been out there. Triple 3 Vineyards, we're a
6 Washington winery. So what you see on the map up
7 there, the building to the, I guess, your right as
8 we're looking at it now, that's Trinity Hall.
9 That's our events center. That's where we hold
10 weddings, events, charity, galas, things of that
11 nature.

12 The building with the brown roof on the
13 other side of the lake, that's our tasting room, and
14 then you can see some of the other stuff there on
15 the property, barns and pickle ball courts and
16 whatnot.

17 Primarily the purpose of this CUP is to
18 enable us to hold ticketed events there in addition
19 to the weddings and things like that we already do.
20 So an example of that would be like a New Year's Eve
21 gala, something of that nature. We've done -- we've
22 done some things like that in the past. Typically
23 they were charity galas, so like Mercy gala out
24 there deal there, dining, EFA, but those weren't
25 ticketed. But we'd like to be able to use the

1 property for some ticketed events as well.

2 CHAIRMAN EVANS: Any
3 questions from the Commission?

4 COMMISSIONER McLAREN: My
5 first question is for Scottie. It says there's two
6 CUPs on this property already?

7 MS. EAGAN: Two Special
8 Occasion permits.

9 COMMISSIONER McLAREN: All
10 right.

11 MS. EAGAN: So that's
12 different.

13 COMMISSIONER McLAREN: All
14 right. I guess I misread it, which is well within
15 the realm of possibility.

16 CHAIRMAN EVANS: And that
17 would be for weddings, non-ticketed events in the
18 two different buildings or sites.

19 These would be basically ticketed
20 events.

21 COMMISSIONER McLAREN: Okay.

22 CHAIRMAN EVANS: So that's
23 the big difference.

24 COMMISSIONER McLAREN: All
25 right. So somebody has given -- I'll go to you now.

1 Somebody has given us -- Ryan Briggs
2 has given us this here that shows a building under
3 construction right now.

4 MR. BAKER: Uh-huh.

5 COMMISSIONER McLAREN: Is
6 that the building that already exists there?

7 MR. BAKER: The building
8 that's under construction is our production facility
9 for the winery.

10 COMMISSIONER McLAREN: All
11 right.

12 MR. BAKER: So that's an
13 expansion of we're bringing all of the wine making
14 under one roof. So that's what that is.

15 There is also a small events space in
16 it which is covered by the SOP that we got. So
17 that's where smaller weddings, things like that.

18 Trinity Hall is pretty large. So I do
19 events in there 250 people. It's kind of our bigger
20 end. Normally our sweet spot's in the 175 to 200
21 range, but I constantly get these requests for these
22 50- to 80-person events, and it doesn't really make
23 a lot of sense to house them in the other one.

24 So since we were putting a production
25 facility in the back, we thought that it would be a

1 smart idea to put a smaller facility to house the
2 smaller weddings and things like that.

3 COMMISSIONER McLAREN: And
4 how big is that? How many people are going to be in
5 the production facility?

6 MR. BAKER: Oh, people in the
7 production facility, two on a daily basis.

8 COMMISSIONER McLAREN: No.
9 You've got a special use permit for it.

10 MR. BAKER: Oh, yeah, I'm
11 sorry. Yeah, so that room is 94 people I think is
12 our capacity.

13 COMMISSIONER McLAREN: Okay.
14 And what's the name of the hall?

15 MR. BAKER: Trinity Hall.

16 COMMISSIONER McLAREN:
17 Trinity Hall.

18 MR. BAKER: Yes.

19 COMMISSIONER McLAREN: How
20 many people does it hold?

21 MR. BAKER: Trinity Hall is
22 299, 300, somewhere in there.

23 COMMISSIONER McLAREN: So --
24 counselor, whenever I go in a bad place, stop me.

25 So this is what, we have changed our

1 regulations for this site about a year and a half
2 ago?

3 MS. EAGAN: Correct.

4 COMMISSIONER McLAREN: Okay.

5 And I assume you're already doing these
6 ticketed events?

7 MR. BAKER: We're doing
8 mostly --

9 COMMISSIONER McLAREN: I have
10 some friends that were there for New Year's.

11 MR. BAKER: Yeah, so we did
12 do -- we did a New Year's Eve event, which was a
13 ticketed event. This year, which was a ticketed
14 event. We were informed that that was not within
15 our purview; so thus, the application for the
16 Conditional Use Permit.

17 The other one that we did was a charity
18 ticketed event, but that was all the proceeds went
19 to charity. I understand that that was good, but
20 then the -- if we were doing it for a different
21 reason, we needed a CUP.

22 COMMISSIONER McLAREN: So how
23 many ticketed events do you plan on having in here?
24 I mean, you pretty well included everything except
25 for yard darts in here.

1 MR. BAKER: Well, we wanted to
2 make sure that we didn't have to come back again if
3 we didn't outline exactly the type of events. So we
4 cast the net pretty wide.

5 Honestly, the purpose of the facility
6 and the predominant use is for weddings and things
7 like that. That's really where the -- it's the best
8 thing for us, is to do those.

9 COMMISSIONER McLAREN: How
10 many days a year do you expect to use the facility?

11 MR. BAKER: For a ticketed
12 event?

13 COMMISSIONER McLAREN: For
14 whatever. For what are you using it now for
15 ticketed events? How many days a year?

16 MR. BAKER: Well, if I had my
17 druthers, it'd be about every weekend I'd be full
18 with weddings. But for ticketed events, honestly I
19 think we'd be in the 5 to 15 events a year for a
20 ticketed event, likely.

21 As we get better and better at selling
22 more weddings though, I'm hopeful that I won't have
23 to try to make my own hay out there with ticketed
24 events.

25 COMMISSIONER McLAREN: This

1 was Al Waldman's property before, wasn't it?

2 MR. BAKER: Yes.

3 COMMISSIONER McLAREN: Okay.

4 So how many times a year will there be people on the
5 property, not counting the tasting and would you put
6 up a special -- occasional special ticketed event
7 wedding, New Year's Eve party, whatever?

8 MR. BAKER: Sure. So
9 weddings, I would hope and pray at least every
10 weekend there's something going on out there.

11 COMMISSIONER McLAREN: All
12 right.

13 CHAIRMAN EVANS: When I look
14 at this list here, yard darts aren't on there, but
15 about everything else is.

16 MR. BAKER: We were
17 instructed to cast the net wide so we didn't have
18 to...

19 CHAIRMAN EVANS: And my
20 concern is pretty much you got everything on here.
21 My concern would be the property number of occasions
22 per month, not what you're doing, but limiting that
23 because you have the weddings or whatever. And I'd
24 be concerned about having more than a couple a month
25 or something like that.

1 I think limiting the number would be
2 more effective than trying to go through all the
3 different events, especially because of you use the
4 same facilities for weddings, right?

5 MR. BAKER: Correct, yeah.
6 If I have my choice, I'd be doing a wedding that
7 day, but if it's a day that's, for whatever reason,
8 isn't sold for a wedding or isn't very popular for
9 weddings, then I'd want to try to do something there
10 like a ticketed event or a charity event or a
11 Christmas thing, something that utilizes the
12 facility.

13 CHAIRMAN EVANS: Yeah, would
14 you have any issues? You have the two CUPs already,
15 and those have hours on them. And would you have
16 any issue with using the same hours of operation?

17 MR. BAKER: No, with one
18 notable exception. If we're going to do a New
19 Year's Eve deal, then obviously New Year's happens
20 at midnight. But for the rest of the year,
21 honestly, I don't like being open all that late
22 because I don't like to get to bed that late.

23 COMMISSIONER McLAREN: Mr.
24 Chairman, I don't know what the hours of operation
25 are here. Do we know what they are?

1 MS. HOLDMEIER: I provided it
2 on that handout, back side of it an additional
3 handout.

4 MS. EAGAN: But there is a
5 typo on Friday. I accidentally put 12:00 p.m. instead
6 of 12:00 a.m.

7 CHAIRMAN EVANS: I think
8 basically what we have on here is Monday closed,
9 Tuesday through Thursday 7:00 a.m. to 10:00 p.m.,
10 Friday 7:00 a.m. to 12:00 p.m., or that should be
11 12:00 a.m., Saturday 9:00 a.m. to 12:00 a.m., and
12 Sunday 10:00 a.m. to 10:00 p.m.

13 MR. BAKER: Those are our
14 legal operating hours, but we're never open that
15 late.

16 CHAIRMAN EVANS: So you would
17 have no issue with keeping those same hours for
18 these permits?

19 MR. BAKER: Yep, that's just
20 fine. Thank you.

21 CHAIRMAN EVANS: Any other
22 questions?

23 COMMISSIONER HAIRE: Yeah, I
24 have one. You have all these events. How are you
25 going to -- what's your plans in marketing for these

1 events, these ticketed events?

2 MR. BAKER: Sure. So a lot
3 of the events that we do have been kind of something
4 built out of necessity for us. So for example, like
5 of the events I'd like to do is a Mother's Day
6 brunch, and I want to do a Mother's Day brunch up at
7 Trinity Hall mostly because my winery gets
8 absolutely slammed during that time. And I'm trying
9 to actually take some of the pressure off of the
10 winery and give people a place to go with Mom up at
11 Trinity Hall, something nice so they want it.

12 It provides that opportunity for them,
13 but then also it makes me not go crazy in the bar
14 down there on Mother's Day.

15 We market a lot of our things, to
16 answer your question more directly, Facebook, we're
17 in some local publications, things like that, get
18 requests, put signs out and things like that, but
19 basically that's it.

20 COMMISSIONER HAIRE:
21 Currently how many of your events are outside by the
22 tasting room?

23 MR. BAKER: H'm, I've not
24 done any events outside of the tasting room. Really
25 that's the purpose of Trinity Hall. I wanted the

1 winery traffic to be able to be just that, and if
2 you want to host an event or we're going to do a
3 wedding. A lot of the wineries in the area have an
4 issue that they kind of built that backwards, and
5 now they have to use their winery facility and close
6 down that and it confuses the public on what days
7 you're open.

8 So we didn't want to run into that, so
9 anything that we're doing from an event perspective
10 is typically none of it up at Trinity Hall.

11 We did a beer school, which was inside,
12 but...

13 COMMISSIONER HAIRE: So your
14 plan is not to really to increase the activity in
15 the outside area; it's more in utilization of the
16 Trinity Hall?

17 MR. BAKER: Correct.

18 COMMISSIONER HAIRE: Okay.

19 CHAIRMAN EVANS: So you'd be
20 using the same venues, the same hours, but basically
21 we're looking at ticketed events --

22 MR. BAKER: That's correct.

23 CHAIRMAN EVANS: -- versus
24 the non-ticketed?

25 COMMISSIONER KLENKE: But

1 then the ticketed events would cover the new
2 facility?

3 MR. BAKER: I'm sorry?

4 COMMISSIONER KLENKE: The
5 ticketed events would cover -- you'd be able to do
6 those in this new facility?

7 MR. BAKER: As well, yes,
8 hopefully.

9 COMMISSIONER MITTLER: During
10 your peak time, what if -- how many events a month
11 do you typically do?

12 MR. BAKER: Including
13 weddings?

14 COMMISSIONER MITTLER: Yes.

15 MR. BAKER: So right now
16 we're trying to wrap that up. It's pretty rare that
17 I've got a Friday, Saturday, Sunday booked.
18 Normally right now it's a lot of Saturdays, if I'm
19 looking at 2024 as kind of an example there, most of
20 my Saturdays in the busy season.

21 So whenever it's nice outside, that's
22 when everybody wants to get married and everybody
23 wants to be at a winery. So from mid August through
24 November, every Saturday is already taken, and I'm
25 dotting in some Fridays here and there and a few

1 Sundays. But -- so I don't know what that'd be in a
2 month, about 8 to 10 right now.

3 COMMISSIONER MITTLER: So
4 ideally you'd want to add three to four a month
5 event to get events to that?

6 MR. BAKER: No. Honestly
7 ticketed events just candidly, they're a pain to
8 pull of and pull together. I would much rather rent
9 that for a wedding.

10 So we leave those dates open. The only
11 time we really try to push or we would try to push a
12 ticketed event is on a thing we'd be pretty unlikely
13 to have a wedding that day. So --

14 COMMISSIONER MITTLER: On
15 your off time?

16 MR. BAKER: Yeah. So
17 Valentine's Day is a, you know, somewhere around
18 that weekend, it's in February. It's not a
19 traditional time for people to want to be outside.
20 So we want to build a hall so somebody --

21 COMMISSIONER MITTLER: So
22 you're just filling the holes?

23 MR. BAKER: Correct.

24 COMMISSIONER HAIRE: So would
25 you offer some of these ticketed events through

1 yourself, just you're the ticketed event like
2 pairings and wine tastings?

3 MR. BAKER: Yeah, absolutely.

4 COMMISSIONER HAIRE: Okay.

5 MS. EAGAN: Well, wine
6 tasting should be already allowed at his winery.

7 COMMISSIONER HAIRE: But
8 pairings wouldn't be.

9 MS. EAGAN: Oh, no.

10 COMMISSIONER HAIRE: So that
11 would be a ticketed event, right?

12 MR. BAKER: Yeah, for
13 example, like if we wanted to do a wine dinner,
14 something elevated, you know, have it up at the
15 hall, we'd cater in a five-course meal and do a wine
16 presentation, something fun.

17 CHAIRMAN EVANS: Now, as far
18 as your ticketed events, do you see most of those
19 being the ones that you would create the event or
20 are outside organizations coming in?

21 MR. BAKER: So there's a bit
22 of both there. So most of the ticketed events that
23 I would be doing would be obviously mine. One
24 that's different, which I don't even know if you
25 could consider it a ticketed event because they pay

1 me. So a Mercy gala for example. They did a Mercy
2 charity gala at my place. They rented the facility
3 from me. I don't see any tickets, but they sell
4 tickets to that event. But they do it on their own
5 through their own site and through their own people.
6 So I don't technically think that falls under the
7 auspices of the zoning.

8 CHAIRMAN EVANS: Yeah,
9 Scottie, that would be probably be logged out,
10 wouldn't it, since we have an outside organization
11 selling tickets?

12 MS. EAGAN: It's a gray area
13 because he does have that Special Occasion Permit,
14 but then the charity is selling the tickets.

15 So, Mark?

16 COUNTY ATTORNEY PIONTEK: I
17 would view that the same as if he were selling the
18 tickets himself.

19 MS. EAGAN: You would?

20 COUNTY ATTORNEY PIONTEK:
21 Yeah.

22 MS. EAGAN: Okay.

23 CHAIRMAN EVANS: Any other
24 questions for the applicant?

25 COMMISSIONER McLAREN: How

1 many square footage is Trinity Hall, and what's the
2 dimensions of Trinity Hall?

3 MR. BAKER: That's a good
4 question. It's -- the entire building is 100 by
5 128, but the -- it's broken up into some different
6 areas. I have a mezzanine that's upstairs. It's
7 two suites and bathrooms up there. I've got a
8 meeting room.

9 So the area for the hall itself is
10 about 70 by 100 or so, and then the four seasons
11 room attached, which is 75 by 15. So whatever those
12 two things add up to.

13 COMMISSIONER GRUTSCH: Your
14 original concept for the facility Trinity Hall only
15 was for wedding events and similar, along the same
16 line events?

17 MR. BAKER: Exactly.

18 COMMISSIONER GRUTSCH: In
19 those kind of -- I've been to a number of weddings
20 at different venues, and they kind of police
21 themselves.

22 But in this situation, you're looking
23 at Oktoberfest, Myfest, Strassenfest, and those
24 generally need some outside enforcement.

25 And my question to you is do you have

1 provisions or do you have security at this point now
2 to monitor consumption and keep down the rowdiness
3 and what have you?

4 And you say that you want people
5 outside of the Trinity Hall. So if they're outside
6 the building and do they also have somebody to keep
7 them from being loud? We have residences that are
8 within 200 feet of this.

9 MR. BAKER: Sure. So most of
10 the events that happen are not outside at Trinity
11 Hall. Almost everything is inside there. The back
12 patio you see is typically used for ceremonies. So
13 a wedding ceremony happens outside, and everybody
14 goes inside.

15 In terms of policing the kind of
16 rowdiness of the group, we are definitely not the
17 rowdy winery. I never want to get into doing
18 something like that. Mostly it's just a gigantic
19 pain that I don't want to deal with.

20 COMMISSIONER GRUTSCH: And I
21 get that because you've only been doing weddings so
22 far. But if you get -- my question was --

23 MR. BAKER: Sure.

24 COMMISSIONER GRUTSCH: IF we
25 get into the Myfest, Strassenfest, Oktoberfest, --

1 MR. BAKER: Yeah.

2 COMMISSIONER GRUTSCH: --
3 those type of things, you'd probably get a younger
4 clientele. Looking at the results that Hermann has
5 with they Myfest celebrations and Strassenfest and
6 Oktoberfest, not always but sometimes, it does get a
7 little rowdy.

8 MR. BAKER: Sure. Yeah,
9 our --

10 COMMISSIONER GRUTSCH: And I
11 don't think you'd want to keep everybody inside, but
12 if there's a lot of alcohol consumption going on,
13 there may be people going outside to smoke
14 cigarettes or smoke whatever.

15 MR. BAKER: Sure, sure. So
16 all of our tasting room staff is trained on, you
17 know, not over serving somebody. So that's a big
18 thing that we've taken pretty seriously, is not
19 letting people get to a point where they're, you
20 know, rowdy and out of control.

21 That's certainly not a reputation we
22 want. So in terms of policing that, the tasting
23 room staff is trained and they're very good at not
24 letting people get over served. That's definitely
25 -- I've been to some of the events you're talking

1 about down in Hermann, and when -- and I will tell
2 you we want to become the high-class alternative to
3 that, a nice place to go to have a good time, and
4 provide a more -- our goal is a more elevated
5 experience than that not the come out and woohoo.
6 So...

7 COMMISSIONER GRUTSCH: Okay.

8 Thank you.

9 CHAIRMAN EVANS: Anybody
10 else?

11 COMMISSIONER McLAREN: One
12 final question.

13 CHAIRMAN EVANS: Bill.

14 COMMISSIONER McLAREN: I
15 promise.

16 So in a perfect world, you're having a
17 small wedding, you're having a tasting, you're
18 having a ticketed event. How many people do you
19 expect to be here and the maximum amount of people
20 you would ever expect to be on-site?

21 MR. BAKER: On the property
22 in general?

23 COMMISSIONER McLAREN: On the
24 22.4 acres.

25 MR. BAKER: Sure. So my --

1 COMMISSIONER McLAREN: Or
2 point 24.35 to 6 acres. I'm sorry.

3 MR. BAKER: Sure. I limit
4 the number of people who can be inside of Trinity
5 Hall to the 299, and then I limit -- will limit once
6 it's completed, the number of people that can be in
7 Covenant Hall to the 94, I believe it is.

8 And then at the winery, I've got inside
9 I've got seating that can accommodate 95-ish people
10 inside. And then the patio is outside, so a few
11 hundred.

12 COMMISSIONER McLAREN: Well,
13 my math is we're up over 500.

14 MR. BAKER: Sure. That would
15 be lovely. That's not what happens.

16 COMMISSIONER McLAREN: But
17 you're asking us to give you permission for whatever
18 may possibly happen. So we need to know what the
19 limits might be.

20 MR. BAKER: Sure. My thought
21 on that is the special occasion is already
22 happening. So if I'm having an event at Trinity
23 Hall that's a wedding for 275 people that day. If I
24 have -- and that's through my existing Special
25 Occasion Permit.

1 My special occasion for my new
2 facility, Covenant Hall, I've got a 75-person
3 wedding going on in there. That's all fine. The
4 winery's permitted use. So then I have just my
5 normal winery traffic going on that day.

6 That's not the day I would be doing a
7 ticketed event. Normally I'd be doing my ticketed
8 even on a day where I wasn't crammed to the gills
9 because killing myself over trying to cram some
10 people in there is definitely the goal.

11 It would be more likely that -- really
12 the only difference would be the event that Trinity
13 Hall would either be ticketed, or it would be sold
14 as a wedding. There is no and --

15 COMMISSIONER McLAREN: But
16 you have two other venues on there to put more
17 people, and I wanted to know the total of all --

18 MR. BAKER: Sure, yeah.

19 COMMISSIONER McLAREN: --
20 venues plus the patio --

21 MR. BAKER: Yeah.

22 COMMISSIONER McLAREN: -- or
23 patios.

24 MR. BAKER: My thought would
25 be nothing would change if I was allowed to do a

1 ticketed event versus what I'm -- I have been doing
2 or could do now because those events -- those
3 facilities could be operating at that same peak
4 capacity under the existing permits.

5 CHAIRMAN EVANS: Any other
6 questions for the applicant?

7 (NONE)

8 Okay. Thank you.

9 Anyone else wishing to speak in support
10 of this file, in support?

11 (NONE)

12 Anyone present wishing to speak in
13 opposition? Please come forward, state your name
14 and address, and sign in, please.

15 And I do have to remind everyone that
16 this is a permitted use in this zoning district with
17 conditions.

18 MR. RYAN BRIGGS: Ryan
19 Briggs, 749 Amburgy Drive, Washington, Missouri.

20 (THEREUPON, THE WITNESS WAS
21 SWORN.)

22 Yeah, I submitted the written
23 testimony. I just didn't know really that the
24 building that is literally 200 feet from a home was
25 already permitted for that use. But would hope to

1 limit having ticketed events at it.

2 COMMISSIONER KLENKE: So you
3 just want to limit ticketed events at that building
4 or on the whole?

5 MR. BRIGGS: Yeah, I'm not
6 concerned about the other spaces. It's literally
7 because that's 200 feet away a home.

8 COMMISSIONER KLENKE: Okay.

9 MR. BRIGGS: I mean ideally I
10 wish we could go back and look at the Special Use
11 Permit because I don't know if it was intended for
12 any building anywhere on the property, but that's
13 probably not why we're here tonight.

14 COMMISSIONER KLENKE: Correct
15 me if I'm wrong, though. The building that's being
16 built, isn't that just production and there's not
17 going to be any events in this building?

18 MR. BAKER: The production
19 facility does have a smaller events space, Covenant
20 Hall, in it, and that's for the 75-person-ish
21 weddings that we request for.

22 CHAIRMAN EVANS: Okay. Thank
23 you.

24 COMMISSIONER HAIRE: I got
25 one question. Have you had any issue up to date?

1 CHAIRMAN EVANS: We need to
2 bring him back up to the podium. So he'll have a
3 chance for -- sorry.

4 MR. BRIGGS: I mean, nothing
5 really to speak of, and there's -- when they have
6 outdoor music, we can hear it, but I mean, that was
7 improved. So I'd say the only other thing is we
8 hunt on the land and have been told that we
9 shouldn't or can't during certain hours. But I
10 mean, that's been very limited.

11 Yeah, it's just the fact that this,
12 this new building that's being built, is -- I mean,
13 I put the pictures in there from -- that's from the
14 garage to the building, and it's like 200 feet.

15 So that would be my only request is I
16 wouldn't see there would -- to be a need to be
17 ticketed events there with it being so close to a
18 home.

19 CHAIRMAN EVANS: All right,
20 thank you.

21 Anyone else present wishing to speak in
22 opposition? State your name, address, and sign in,
23 please.

24 MR. MIKE DEMPSEY: My name is
25 Mike Dempsey, and my address is 8 Irish Lane in

1 Washington, Missouri. And I am speaking on behalf
2 of the Ecklekamp family who owns the property to the
3 west of the property in question.

4 (THEREUPON, THE WITNESS WAS
5 SWORN.)

6 The property owned by the Ecklekamps is
7 just to the west, which is the straight line,
8 straight white line on top of the property, right by
9 the parking lot. It goes north to south. So that
10 the property that I'm -- there you go.

11 You'll see the firehouse there in the
12 corner, and the Ecklekamps donated that property to
13 the County so that the fire department could be
14 built.

15 So they're good neighbors, and they
16 want to remain good neighbors. They just have a
17 strong concern that not so much now as the property
18 lays and agriculture. Although, as Jim pointed out,
19 if we have more non-wedding events and more
20 Strassenfests and Oktoberfests and other fests,
21 there's a more likelihood of liter and off-roading
22 off the drive -- off the parking lot there and going
23 across the line, especially with alcohol being
24 served, sometimes that happens.

25 So we're concerned about that, and then

1 more importantly in the future as homes are built
2 there. That's zoned W, so we can put single-family,
3 duplexes, put residential in there, and if we don't
4 have some type of a buffer that will delineate the
5 property line and set it off from the Triple 3,
6 we're afraid that people aren't going to know where
7 the property line is.

8 And I think it would help both the
9 winery and the housing development in the future if
10 we have a buffer there that will hide both from the
11 other. So that's what I'm requesting, is that you
12 put some conditions on the issuance of the permit,
13 and the condition I'm requesting is that it be a
14 buffer.

15 CHAIRMAN EVANS: Any
16 questions from the Commissioners?

17 My only concern I guess is putting in a
18 buffer to run down to a field. I mean, we have the
19 200-foot, I guess, distance between the closest
20 house, but we don't -- haven't really created a
21 buffer.

22 And then I'm afraid that -- and, Mark,
23 correct me -- at this point, that we're going to
24 have a hard time doing that since this is an
25 existing operation with an existing CUP that we

1 would have to create a buffer or could require a
2 buffer.

3 COUNTY ATTORNEY PIONTEK: You
4 could require a buffer because this is -- I'm not
5 sure of the right terminology, but you're
6 essentially magnifying the use of the property,
7 creating potentially some problems for the
8 neighbors.

9 I'm not saying that is going to happen
10 or it's not, but I understand the issue.

11 You could require a buffer as a
12 condition of the CUP being issued. Then again, you
13 always have problems when you do that. How do you
14 enforce that? Who's going to maintain that? You're
15 putting in live greenery. If it dies, what happens?
16 Who's going to -- I mean, where does that end?

17 It's not foolproof.

18 CHAIRMAN EVANS: And that
19 could or could not happen. I guess my only thought
20 is that in the future uses or subdivision or houses
21 were put in there, they could establish their own
22 buffer, correct?

23 COUNTY ATTORNEY PIONTEK:
24 Yes, they could.

25 CHAIRMAN EVANS: And that's

1 -- as I say, I hate to say here with existing and
2 we're looking at a farm field, and we're not
3 planning for what could possibly happen but what the
4 current condition is.

5 And would that be more our
6 responsibility there, Mark?

7 COUNTY ATTORNEY PIONTEK:
8 That's your call.

9 CHAIRMAN EVANS: No, I asked
10 you. You're supposed to answer this.

11 MR. DEMPSEY: I mean, the
12 fact that the driveway is very close to the property
13 line, would be a good reason for a buffer even
14 though there's no houses there.

15 COMMISSIONER HAIRE: Mr.
16 Dempsey, you mentioned about houses there. Is there
17 plans to develop that property?

18 MR. DEMPSEY: Not right now.

19 COMMISSIONER HAIRE: Okay.

20 CHAIRMAN EVANS: Any other
21 questions?

22 (NONE)

23 Okay. Thank you.

24 Anyone else present wishing to speak in
25 opposition?

1 (NONE)

2 If not, does the applicant have
3 anything else they would like to say, or any other
4 questions from the Commission?

5 COMMISSIONER VOSS: I have a
6 question. If anyone needs a buffer, it would be Mr.
7 Briggs. I mean, if we're going to -- we're talking
8 about a future thing, Mr. Briggs is looking right at
9 it.

10 I mean, I'm just going to put that out
11 there. I don't care. If we're going to hold it to
12 one side, I mean.

13 COMMISSIONER GRUTSCH: Well,
14 he added his statement requested privacy fence and
15 some sort of --

16 COMMISSIONER VOSS: I've seen
17 that, but like I said, I would put it out there
18 instead of looking at just one direction.

19 CHAIRMAN EVANS: Any other
20 questions for the applicant?

21 COMMISSIONER WILLETTE:
22 Excuse me. Where on that map is the new
23 construction?

24 MR. BAKER: It's down at the
25 southwest corner of the property. So kind of the

1 lower left-hand side of the white square on the --
2 there you go. In that area.

3 COMMISSIONER WILLETTE: Okay.

4 MR. BAKER: Now the
5 preponderance of the use of that facility again is
6 production. The -- just thinking through the events
7 that we would have across the board at the different
8 places, honestly if I'm going to go through the
9 trouble of holding a ticketed event, I'm probably
10 going to try to do it at Trinity Hall where I can
11 hold the most number of people.

12 The ones that I'll likely be doing down
13 at the production facility would be, if I was going
14 to do like a wine club dinner or something like
15 that, I wanted to do a special release on a wine and
16 I want to sell tickets to a wine club, I'd have
17 those people in there.

18 Those are -- there's no plans to have
19 any outdoor space there other than a small patio out
20 back for ceremonies for the weddings there, and that
21 would face the west into the woods. And that's
22 going to be -- it has privacy fences on either side
23 of that little patio just to keep it separate.

24 COMMISSIONER HAIRE: Where
25 you putting parking for this facility, because you

1 have a 195 people who are for the Covenant Hall?

2 MR. BAKER: Sure. Yeah, so
3 along the west and north side of that property. So
4 the parking lot is going to kind of continue around.
5 Where you see it there, it's going to kind of
6 continue around and then down in front of the
7 production facility.

8 COMMISSIONER HAIRE: It's a
9 little bit of walk for the people then.

10 MR. BAKER: I'm sorry?

11 COMMISSIONER HAIRE: It will
12 be a little bit of a walk for them then.

13 MR. BAKER: Typically it
14 wouldn't. If you're going to one place on the
15 property, you're going to that one place. It's not
16 like they're going to go to Trinity Hall and then
17 hey, let's go down to the wine production facility.
18 You'd either be going to one or the other.

19 MS. EAGAN: What did you say
20 about outdoor ceremonies, at what place?

21 MR. BAKER: If I did any
22 outdoor ceremony anywhere, it'd be on the back side
23 of Trinity Hall.

24 MS. EAGAN: Okay.

25 MR. BAKER: Over here.

1 COMMISSIONER MITTLER: That
2 you currently already do host?

3 MR. BAKER: Correct, yeah.

4 And that's really the only place that
5 would be large enough to be worth the squeeze of
6 putting on a ticketed event.

7 COMMISSIONER HAIRE: As you
8 expand the parking, are you going to keep it gravel?

9 MR. BAKER: Millings.

10 COMMISSIONER HAIRE: Okay.

11 MR. BAKER: If I can continue
12 to find them.

13 CHAIRMAN EVANS: Any other
14 questions for the applicant?

15 (NONE)

16 MR. BAKER: Thank you.

17 CHAIRMAN EVANS: Thank you.

18 Any discussion from the Commission?

19 COMMISSIONER McLAREN:
20 Scottie, are there any other -- there's two Special
21 Use Permits, correct?

22 MS. EAGAN: Uh-huh.

23 COMMISSIONER McLAREN: Are
24 there anything on those Special Use Permits besides
25 what you've given us here, that's hours of

1 operation?

2 MS. EAGAN: Yeah, the only
3 thing we don't have their most current one for the
4 production facility. Obviously the number of guests
5 is different, and then no outdoor activities allowed
6 on the new facility, the production line.

7 COMMISSIONER McLAREN: Okay.
8 I thought he just said something about a privacy
9 fence.

10 MS. EAGAN: At Trinity Hall,
11 I believe.

12 MR. BAKER: Yeah, Trinity
13 Hall is where we're going to put it.

14 MS. EAGAN: That's why I
15 asked for clarification, because I was also
16 confused.

17 So Trinity Hall is the big one
18 currently operating 299 guests, indoor/outdoor
19 activity.

20 The new one, the production facility,
21 is I think max a hundred people I think is what we
22 put on the permit, and then no outdoor activity.

23 COMMISSIONER HAIRE: He just
24 mentioned there'd be an outdoor wedding potential in
25 that Covenant facility when he was speaking.

1 COMMISSIONER McLAREN: That's
2 what I thought I heard too.

3 MR. BAKER: So if we had a
4 group that wanted to do an outdoor ceremony
5 somewhere on the property, we have several locations
6 that they can do that.

7 One thought on that would be the
8 ceremony facing the wood line to the west, and then
9 the other ceremony location would be down at the
10 winery or our barn or up at Trinity Hall where we
11 have our outdoor production -- or I'm sorry, our
12 outdoor patio now.

13 CHAIRMAN EVANS: Okay. So I
14 guess the question is on that CUP they cannot have
15 outdoor activity?

16 MS. EAGAN: The Special
17 Occasion Permit for what he's calling Covenant Hall
18 cannot have any outdoor activity.

19 CHAIRMAN EVANS: And that's
20 the existing one?

21 MS. EAGAN: The one being
22 built.

23 CHAIRMAN EVANS: The one
24 being built now?

25 MS. EAGAN: Yes.

1 CHAIRMAN EVANS: But that's
2 covered, right? He has the CUP, but is that one of
3 the two he has?

4 MS. EAGAN: He has a Special
5 Occasion. He doesn't have any CUPs.

6 CHAIRMAN EVANS: Okay.

7 MS. EAGAN: So he has a
8 Special Occasion Permit for the new facility that's
9 being built. That one cannot have any outdoor
10 activity. If they do, then they need to get a
11 Conditional Use Permit.

12 The Special Occasion Permit is for
13 indoor activity only.

14 CHAIRMAN EVANS: Okay.

15 COMMISSIONER McLAREN: Can we
16 ask to have him come back up for another question?

17 CHAIRMAN EVANS: Actually the
18 hearing is closed.

19 COMMISSIONER McLAREN: Okay.

20 CHAIRMAN EVANS: So no.

21 COMMISSIONER McLAREN: Fair
22 enough. So, Scottie, we -- none of this has come to
23 us because of the size; is that correct?

24 MS. EAGAN: And it's indoor.

25 COMMISSIONER McLAREN: Okay.

1 So what now -- what was the size before we changed
2 the regulations?

3 MS. EAGAN: Before we changed
4 it to what it currently says?

5 COMMISSIONER McLAREN: To
6 what it currently says.

7 MS. EAGAN: I believe we just
8 had a max of 300 people, but we had no way to count
9 that number of people.

10 COMMISSIONER McLAREN: Right.

11 MS. EAGAN: So it wasn't
12 based on anything. So you could have a facility
13 that holds 500, but if you tell me you're only going
14 to do 300, I had no teeth to back it up on to say,
15 well, no, now you need a Conditional Use Permit.

16 So we changed it to match what Building
17 code says.

18 COUNTY ATTORNEY PIONTEK: One
19 per 15 --

20 MS. EAGAN: Yes.

21 COUNTY ATTORNEY PIONTEK: --
22 square feet.

23 MS. EAGAN: Yeah.

24 COMMISSIONER McLAREN: Okay,
25 but there's still a size that you're able to do

1 exactly that does come to us, right?

2 MS. EAGAN: Yes. So the size
3 is a Special Occasion indoor, maximum occupancy of
4 400 based on 1 per -- one guest per 15 square feet
5 with all events ending at 10:00. That's the Special
6 Occasion and all the permits for Special Events
7 Permit.

8 COMMISSIONER McLAREN: And
9 that's not required to come to us?

10 MS. EAGAN: Correct. And
11 then we have --

12 COMMISSIONER McLAREN: Four
13 hundred people, is that what you said?

14 MS. EAGAN: Four hundred.
15 And then we have Special Occasion Indoor with a
16 maximum occupancy over 400 requires a CUP.

17 And then a Special Occasion Indoor and
18 Special Occasion Outdoor and exceeding the hours of
19 10:00 CUP.

20 So currently what he presented to us or
21 that he presented to us for Covenant Hall met these
22 conditions. So it's all indoor. They're ending
23 everything at 10:00. That's why it didn't come to
24 you.

25 Now, if they're changing to doing

1 outdoor stuff, obviously they'll need to get a
2 Conditional Use Permit for that.

3 CHAIRMAN EVANS: But they
4 would have to come back for what would be a
5 condition of this one that -- go ahead.

6 MS. EAGAN: I didn't hear
7 you.

8 CHAIRMAN EVANS: They would
9 have to come back for a Conditional Use Permit to go
10 indoor?

11 MS. EAGAN: Outdoor.

12 CHAIRMAN EVANS: Outdoor, I
13 mean.

14 MS. EAGAN: If they change
15 it, yes.

16 CHAIRMAN EVANS: Okay.

17 MS. EAGAN: But what they
18 presented matched our code.

19 CHAIRMAN EVANS: Okay.

20 I would think that, since they already
21 have CUPs and the way they operate, that the big
22 difference is them going from weddings, events like
23 that, to ticketed events but using the same venues,
24 and it would be nice to keep the conditions and
25 hours and whatever as close as possible.

1 COMMISSIONER McLAREN: I
2 don't want to challenge you, but you said CUP and I
3 thought Scottie said they do not have CUPS.

4 MS. EAGAN: He just keep
5 saying that.

6 COMMISSIONER McLAREN: Yeah,
7 so I don't want to challenge what you're saying.

8 CHAIRMAN EVANS: Okay. I
9 mean what they're requesting tonight, --

10 MS. EAGAN: Okay.

11 CHAIRMAN EVANS: -- okay,
12 does not say anything about the indoor and outdoor
13 that venue, does it?

14 MS. EAGAN: No, these are all
15 just different events. From my understanding, what
16 they are putting -- I don't know. I guess it could
17 be indoor or outdoor, depending on what they do.

18 CHAIRMAN EVANS: That's what
19 my point is like, whatever we do, it would be nice
20 to -- it would cleaner to keep it the same whether
21 it's ticketed Myfest or a wedding that as clean as
22 we can keep it. If these hours are good for a
23 wedding, why wouldn't they be good for a beer event
24 or something like that.

25 Just throwing that out it seemed like

1 that would be the easiest, best way to handle it.

2 I think I'd also say too is like again
3 I guess they don't have horseshoes out here either,
4 Bill, but I'd be more concerned with the number of
5 events. It seems like they have lots of regular
6 events and weddings and whatever. Rather than
7 saying what they can do, I think it might be better
8 to say how many times they can do it.

9 I mean, he's got a winery. He's got
10 all these other events, and I think it would be,
11 again, easier to say, you know, twice a month,
12 something like that, since obviously he's just
13 trying to fill -- the way it sounded the way he said
14 it, he's just trying to fill time. He'd rather have
15 weddings.

16 Any discussion?

17 COMMISSIONER WILLETTE:
18 You're suggesting limiting the ticketed events to,
19 for example, twice a month? Is that what you're
20 saying?

21 CHAIRMAN EVANS: Yeah.

22 COMMISSIONER WILLETTE: Okay.

23 CHAIRMAN EVANS: Rather than
24 saying you can do anything you wants.

25 COMMISSIONER WILLETTE: Yeah.

1 CHAIRMAN EVANS: He has
2 enough events. He has the winery, and he uses the
3 ticketed events he'd rather not use, but he uses to
4 fill. And he always has the option of coming back
5 and saying okay, this is working out or we're doing
6 less -- fewer weddings, and he has the option of
7 coming back and saying, yeah, I would like to
8 increase that number.

9 COMMISSIONER HAIRE: Let me
10 play devil's advocate in that one.

11 If you look at the property, he has the
12 Covenant Hall and of course he has Trinity. Then he
13 has the barn. He has a silo. He has a tasting
14 room. He could have four or five 25-people events
15 going simultaneously instead of one big one.

16 So then if you limit the number of
17 events, then you're basically saying he can't do
18 that.

19 COMMISSIONER WILLETTE: Well,
20 that's true.

21 CHAIRMAN EVANS: Well, I'm
22 just saying ticketed events.

23 COMMISSIONER HAIRE: But,
24 Bill, those could all be ticketed events though, the
25 small ones, you know. Small, let's say the Lions

1 Club, the KCs, you know -- not KCs because they have
2 their own hall, but all these clubs to come in and
3 do small little events at the different buildings
4 that are on the campus.

5 COMMISSIONER WILLETTE:

6 That's true. What would the advantage to limiting
7 the number of ticketed events?

8 CHAIRMAN EVANS: Well, I
9 think what he was using for -- number one, I guess
10 he would prefer weddings and whatever --

11 COMMISSIONER WILLETTE:

12 Right, right.

13 CHAIRMAN EVANS: -- and
14 everything, and he's using the ticketed events as
15 fillers. And I was just trying to come up with some
16 way to have some constraint rather than saying you
17 can do anything any time, and just to put something,
18 a little bit to reduce the throttle there and say
19 okay, start here.

20 And I understand what you're saying,
21 Dan, but again from what he was saying he doesn't
22 like ticketed events, and again, if he's going to
23 run six ticketed events at one time, would just seem
24 to be a little tough.

25 COMMISSIONER GRUTSCH: How do

1 you police that?

2 COMMISSIONER HAIRE: You
3 don't.

4 COMMISSIONER GRUTSCH: Who is
5 your county that hope they do that?

6 COMMISSIONER VOSS: He was
7 already doing that.

8 MS. EAGAN: Well, I mean,
9 with advertised events, it's pretty easy to see what
10 they're advertising, what day of the month, you
11 know, what month it's at.

12 COMMISSIONER HAIRE: Are you
13 going to keep track of that?

14 MS. EAGAN: I have neighbors
15 that call us.

16 COMMISSIONER MITTLER: Fair.

17 COMMISSIONER McLAREN: I
18 would imagine there was a call is the reason we're
19 having this; is that correct?

20 MS. EAGAN: I'm sorry?

21 COMMISSIONER McLAREN: I
22 would imagine there was a call is the reason that
23 we're having this?

24 MS. EAGAN: It actually
25 started with the building of Trinity -- or not

1 Trinity Hall, Covenant Hall.

2 COMMISSIONER McLAREN: Under
3 the regulations as they exist today, in order to
4 have Trinity Hall, that would have been a CUP that
5 would have come to us, correct?

6 MS. EAGAN: If he was to
7 build it today, yes.

8 COMMISSIONER McLAREN: On
9 today's regulations, --

10 MS. EAGAN: Yes.

11 COMMISSIONER McLAREN: -- it
12 would have come to us for a CUP. So there was a
13 window in there that stuff went from being required
14 to be a CUP that we kind of said take care of this
15 more administratively, and it didn't quite work out.

16 MS. EAGAN: (Nodding.)

17 COMMISSIONER McLAREN: And
18 then we changed the regulations again so that we
19 would have had a look at this before it would happen
20 as it is operating today, correct?

21 MS. EAGAN: Correct.

22 COMMISSIONER McLAREN: Okay.
23 So this is our one -- this is our chance to add
24 something that didn't get added because we didn't
25 get it looked at the first time. So would we have

1 done it this way the first time would be the
2 question I would think would be applicable here.

3 CHAIRMAN EVANS: That's a
4 good point since we didn't see it.

5 COMMISSIONER MITTLER: When I
6 look at this, I don't -- I personally don't know
7 what the difference is if he's doing 15 ticketed
8 events or 15 weddings a month.

9 To me they're the same thing whether
10 he's selling a ticket to it or he's selling a
11 \$10,000 wedding to somebody. They're still putting
12 300 people in Trinity Hall.

13 So I don't know that -- in my opinion,
14 the question is what he's doing, if it's ticketed or
15 not ticketed, my concern would be, as long as he's
16 staying within the parameters of hours and noise
17 constraints and those type of things that protect
18 the neighbors, I don't know that, if he's a doing a
19 bourbon tasting on a Saturday or a 300-person
20 wedding, that makes any difference as long as he's
21 getting everybody out by 10 o'clock or whatever
22 those parameters are.

23 COMMISSIONER WILLETTE: I
24 agree, an advantism event. So I don't know that
25 there's any advantage in to limiting the type.

1 COMMISSIONER KLENKE: Well, I
2 mean, in theory he's only adding 90 people to
3 everything else he's already got going.

4 COMMISSIONER MITTLER: Which
5 area has a permit.

6 COMMISSIONER KLENKE: Pardon?

7 COMMISSIONER MITTLER: Which
8 area has a permit for Covenant.

9 COMMISSIONER KLENKE: Right.

10 COMMISSIONER MITTLER: So I
11 mean, that's already taken care of.

12 COMMISSIONER KLENKE: It
13 sounded like the comments that were made is that
14 they didn't have an issue with what was going on now
15 with potentially Covenant Hall, you know, for a
16 ticketed event.

17 CHAIRMAN EVANS: Again, what
18 I'm hearing is that an event is an event, and we
19 didn't see it before. We have it in front of us
20 now. Do we want to keep the same conditions as far
21 as hours?

22 COMMISSIONER WILLETTE: I
23 would suggest adding something for New Year's.

24 CHAIRMAN EVANS: Yeah. We
25 would have to make an exception --

1 COMMISSIONER WILLETTE: Yeah.

2 CHAIRMAN EVANS: -- say since
3 most New Year's parties don't stop at 11:30.

4 MS. EAGAN: We have two
5 different permits with two different timeframes. So
6 you'll just have to choose which permit you want to
7 follow. There's only maybe the one for Trinity
8 Hall. The other one, everything ends at 10:00.

9 COMMISSIONER HAIRE: That's
10 the Covenant?

11 COMMISSIONER McLAREN: I was
12 out there when the previous owner was there, but I
13 have not been there since it's become a venue.

14 COMMISSIONER HAIRE: I've
15 been there several times.

16 COMMISSIONER McLAREN: Is the
17 property delineated? You know, it looks to me like
18 the lake that's there down below it is somebody
19 else's property. It becomes a fairly attractive
20 area too. If I'm there and having a good time, and
21 I would argue that a ticketed event is different
22 than a wedding.

23 A wedding, those people are going to
24 stay and be with their friends. A ticketed event is
25 going to have people that don't know each other that

1 may be more apt to go and let's go sit by the lake
2 or let's go, we'll look this other lake down here or
3 whatever. Let's go down by that lake because
4 there's too many people by this lake.

5 COMMISSIONER HAIRE: You
6 don't see people out by the lake sitting outside,
7 you know, from the tasting room, and that's set up
8 that way.

9 COMMISSIONER McLAREN: Well,
10 we've had two comments about buffers around there.
11 So I don't think I would agree with that, that they
12 have a tree buffer around the property. I don't
13 think it would hurt his business to have a tree
14 buffer around the property. And I think it would be
15 good for the neighbors because, you know, there's
16 still more property there. I would not be surprised
17 if we don't see another added use yet to this.

18 I think having some trees around the
19 outside of the property as a way to delineate this
20 property from the neighbors would be a good idea.

21 MS. EAGAN: We have had a few
22 calls about people wandering onto the property, not
23 the Briggs property but the other one. But again,
24 that's nothing we could do. We tell them to call
25 the Sheriff's because we don't deal with anybody

1 trespassing on property, but we have received phone
2 calls.

3 COMMISSIONER MITTLER: I
4 don't see a treeline, a brush line, a fence line to
5 stop somebody from -- if they're tipsy and they're
6 bound to do what they're bound to do. I just see
7 them finding their way if they're going to find
8 their way.

9 A treeline is not going to stop them
10 from wandering because they don't see. It's dark.
11 Most of the time it's later in the evening, and it
12 just -- they're not -- that's not what they're
13 thinking about.

14 COMMISSIONER McLAREN: I'm
15 just trying to watch out for the neighbors or future
16 neighbors that may be around there, you know,
17 because just because there's fields on three sides
18 of it now. That used to be a soy bean field too.

19 COMMISSIONER HAIRE: I don't
20 in particular have a problem with a treeline, but
21 we've done that before, and the problem we had is a
22 bunch of them died and there was no recourse for us
23 to enforce them putting them back in there.

24 COMMISSIONER McLAREN: Well,
25 he needs -- in order to maximize what he's doing, he

1 needs it to be an attractive place. Trees help it
2 being an attractive place and trees help it be
3 cooler and trees do a lot not only for the
4 properties around it. It does a lot for his
5 property also.

6 I don't see that as being unreasonable
7 if some trees would get planted around the outside
8 of it.

9 COMMISSIONER HAIRE: No, I'm
10 just saying that if something happens that there's a
11 blight or something, it happened before, it becomes
12 unsightly for another reason.

13 CHAIRMAN EVANS: Dan's point
14 was we had a case down right off 44 towards Sullivan
15 where we required them putting in trees, and we gave
16 an extra time so he could get hybrids or whatever
17 because it took him -- hybrids are fast growing. It
18 was five years before they even got big enough to
19 cover the site.

20 And then in the first year most of them
21 died. So he made the --

22 COMMISSIONER McLAREN: That
23 was before I was here, but I read the
24 interrogatories or whatever, and that was a totally
25 different kind of business there too.

1 COMMISSIONER HAIRE: Yes, it
2 was.

3 CHAIRMAN EVANS: Oh, yeah.
4 Yeah, but what I'm saying it was a buffer, required
5 tree buffer, across the front of the property.
6 Yeah, that was construction or whatever. Yeah.

7 But it's -- and since then, most of the
8 buffers we require or whatever have been fences,
9 almost entirely. I don't know of any other where we
10 required a greenery.

11 MS. EAGAN: We've kind of
12 gotten away from it because of that whole the trees
13 kept dying. I mean, and I think it's the one you're
14 talking about. He had replanted --

15 CHAIRMAN EVANS: Uh-huh.

16 MS. EAGAN: -- and those
17 trees died again.

18 CHAIRMAN EVANS: Yeah.

19 MS. EAGAN: I mean, we just
20 couldn't figure it out.

21 COMMISSIONER HAIRE: Couldn't
22 sustain it.

23 CHAIRMAN EVANS: Yeah, so I
24 think we agree greenery would be good. It's just
25 when we've done before it hasn't worked. So we're

1 just totally getting away from it.

2 Any other discussion from the
3 Commission?

4 (NONE)

5 So we're saying the consensus is an
6 event is an event, and we do not want to limit it to
7 any specific number.

8 Again, personally, I kind of like a
9 number because he can always come back, but that's
10 -- and then we have the hours.

11 And again, Scottie, this is starting to
12 confuse me. On the Trinity Hall, is that the one we
13 have the hours for here?

14 MS. EAGAN: Correct. That's
15 the one that goes to 12:00 a.m. on Friday and
16 Saturday, and then 10:00 p.m. Tuesday through
17 Thursday and Sunday.

18 CHAIRMAN EVANS: Okay. And
19 we don't have the one on the new location?

20 MS. EAGAN: Yeah, the other
21 one just follows our code as it's written. So it's
22 Monday through Friday 7:00 a.m. to 10:00 p.m.,
23 Saturday 9:00 a.m. to 10:00 p.m., and Sunday 10:00
24 a.m. to 10:00 p.m.

25 So really what you're looking at is

1 Friday and Saturday you want the ticketed events,
2 besides New Year's obviously, to go to 12:00 a.m. or
3 end at 10:00 p.m. That's up to you guys. Those are
4 really the only difference.

5 CHAIRMAN EVANS: And this
6 covers both venues, right?

7 MS. EAGAN: This covers the
8 whole property.

9 CHAIRMAN EVANS: The whole
10 property

11 MS. EAGAN: This doesn't
12 limit him to the venue.

13 CHAIRMAN EVANS: Okay. So he
14 wouldn't have to, say, go out the smaller or the
15 production facility if we wanted to keep something
16 indoors?

17 MS. EAGAN: No, that's for
18 the weddings. So this is completely separate. He
19 can use the entire property for any event to go any
20 time indoor or outdoor with a CUP.

21 CHAIRMAN EVANS: That's what
22 I'm saying. If we wanted, we would have to put a
23 condition on it --

24 MS. EAGAN: Correct.

25 CHAIRMAN EVANS: -- to make

1 it indoor for the smaller facility?

2 MS. EAGAN: You would have to
3 limit it to a facility first.

4 CHAIRMAN EVANS: Right.

5 MS. EAGAN: And then
6 stipulate indoor or outdoor.

7 CHAIRMAN EVANS: Okay.

8 MS. EAGAN: Then you're
9 getting into what events are indoor, what events are
10 outdoor and --

11 CHAIRMAN EVANS: Right.

12 MS. EAGAN: -- you know.

13 COMMISSIONER WILLETTE: So,
14 Scottie, you're saying we would have to limit the
15 ticketed events to a particular building?

16 MS. EAGAN: Only if you want
17 it to -- he was saying potentially making it indoor
18 only, and I said, well, if you do that, then you
19 have to stipulate all events are within these two or
20 three facilities.

21 COMMISSIONER WILLETTE: Okay.

22 MS. EAGAN: If you don't want
23 to, you don't have to.

24 CHAIRMAN EVANS: No, because
25 then the way he has now is limiting, but that's what

1 is now. That covers the entire property.

2 So again, the hours on that one, as you
3 say, everything pretty much closes at 10:00.

4 MS. EAGAN: On the smaller
5 one.

6 CHAIRMAN EVANS: On the
7 smaller one. And this CUP, if we use the hours on
8 the Trinity which is this one, then all ticketed
9 events that would be allowed would go by these
10 hours.

11 MS. EAGAN: With the
12 exception of New Year's Eve, yeah.

13 CHAIRMAN EVANS: With the
14 exception of New Year's though an exception. So
15 that's where we stand.

16 COMMISSIONER McLAREN: I have
17 a question for Jim. As I keep looking at this
18 picture up here, there's a very much more hard
19 surface than was there when it was farm ground.

20 I'm assuming that the lake is a
21 retention area for the stormwater and counts have
22 been run on that?

23 COMMISSIONER GRUTSCH: I
24 believe they have. I was not privy to those, but I
25 believe it was.

1 COMMISSIONER McLAREN: Okay.

2 COMMISSIONER GRUTSCH: They
3 had an engineer of their own and that was by the
4 engineer that the County hire to just review it.

5 COMMISSIONER McLAREN: All
6 right.

7 COMMISSIONER GRUTSCH: And
8 the entrances on Sunny, those are approved. They
9 were put in correctly, and the emergency fire
10 entrance is established, and that is --

11 COMMISSIONER McLAREN: That's
12 that other gravel road up there by where it says 22?

13 COMMISSIONER GRUTSCH: Yes.

14 COMMISSIONER McLAREN: Or
15 some kind of road where it says 22?

16 COMMISSIONER GRUTSCH: Yes.

17 That's emergency access only, but
18 that's provided for police, fire, ambulance, and
19 such as that.

20 COMMISSIONER McLAREN: Chair,
21 my only comment is I still think we're here to give
22 service to the property owners around this, and I
23 think there should be some kind of tree buffer. And
24 I feel pretty strongly about that. And we had two
25 property owners here for over 50 percent of the

1 property make that comment.

2 And that's the only issue I have, is
3 that I think we need to take into consideration
4 other property owners.

5 CHAIRMAN EVANS: Well, again,
6 it was an easy fix. I just have a problem
7 concerning what future use there would be or if that
8 stays a soy bean field for 50 years. We can't guess
9 what the use would be.

10 But again, it's up to the Commissioners
11 to decide that, what they prefer.

12 COMMISSIONER GRUTSCH: There
13 is an option. We could go with a six-foot
14 sight-proof privacy fence because there are proposed
15 options here for event, ticketed events, that are
16 far away from a wedding sort of event.

17 He's asking for approval for concerts,
18 which there's no comradery there. Everybody -- two
19 people go that don't know anybody else. There might
20 be 20 people that go, but there's going to be people
21 that don't know anybody else.

22 A nightclub sort of activity like
23 comedians, those are on there. Live entertainment.
24 So there can be a lot of need for a sight-proof
25 fence, not just for the privacy of the neighbors

1 looking that way, but just to corral the occupant or
2 the people attending the events on the property.

3 COMMISSIONER McLAREN: I
4 still think a tree buffer is the ideal thing. I am
5 not arguing with you all, but the tree buffer will
6 take care of more noise. It will help delineate the
7 property.

8 If he's doing everything he's doing
9 here, he's not going to have a bunch of dead trees
10 there. You know, that does not make it attractive
11 for his property. I feel very certain if a tree
12 died he would replace a tree as opposed to having a
13 dead tree there. And I just -- you know, like I
14 said, I think it would eliminate noise, it would
15 eliminate light pollution that somebody would come
16 up with at some point in time, and a multitude of
17 things.

18 And you know, I feel pretty strongly
19 about that. So I've said all I'm going to say.

20 COMMISSIONER KLENKE: So
21 currently you would put a tree buffer along those
22 white lines which is down the middle of those soy
23 bean fields?

24 COMMISSIONER McLAREN: I
25 would do it everywhere except the front.

1 COMMISSIONER KLENKE: But
2 through the middle of the existing soy bean field?

3 COMMISSIONER McLAREN: Yeah.
4 I don't know that it'd still be -- I don't know that
5 it's -- I doubt that it'd still be a farm as a soy
6 bean field with the use that it is. And where the
7 pointer is, there's a new building being built.

8 There's going to have to be a parking
9 lot for it.

10 COMMISSIONER KLENKE: Right.

11 COMMISSIONER McLAREN: You
12 know, that's a building down there by somebody's
13 house. I don't think it's --

14 COMMISSIONER KLENKE: You
15 don't think it's being farmed currently?

16 COMMISSIONER McLAREN: I
17 don't -- I truly don't know. I haven't been out
18 there since the previous owner owned it, and he
19 passed away several years ago. But at that time,
20 there was about 12 acres being farmed the last I
21 knew about it, and the events -- the front of
22 whatever, Trinity Hall, takes -- the parking lot
23 takes up quite a bit of that room. So...

24 CHAIRMAN EVANS: All right.
25 Any further discussion?

1 (NONE)

2 If not, would anyone like to make a
3 motion or suggest the conditions they would like
4 included?

5 And the difference being as opposed to
6 the current venue and the regulations there, that
7 the CUP would cover the entire property for ticketed
8 events. And they would be using the same hours.

9 COMMISSIONER McLAREN: I
10 guess since I feel as strongly as I do, I will make
11 a motion that you all can agree with my motion. So
12 I would make a motion to approve this with the hours
13 that are existing with a tree buffer around the
14 property with the exception of where it's along
15 Sunny Slope Road, or whatever --

16 CHAIRMAN EVANS: Sunny Road.

17 COMMISSIONER McLAREN: Sunny
18 Road?

19 CHAIRMAN EVANS: Sunny Road.

20 COMMISSIONER McLAREN: --
21 except for Sunny Road, that it would be a maintained
22 tree buffer around the outside of the property with
23 the hours that exist and the CUP to cover that
24 entire property.

25 That way if he decided to do something

1 outside back in the corner, there would be some
2 trees around it for a buffer.

3 MS. EAGAN: What hours are
4 you wanting?

5 COMMISSIONER McLAREN: The
6 hours that are on the paper that --

7 MS. EAGAN: The Trinity Hall
8 hours?

9 COMMISSIONER McLAREN: -- you
10 gave us --

11 MS. EAGAN: Okay.

12 COMMISSIONER McLAREN: --
13 that are the most liberal.

14 MS. EAGAN: Okay.

15 COMMISSIONER McLAREN: The
16 7:00 a.m. to 12:00 p.m. and the 9:00 a.m. to 12:00
17 a.m. -- I'm sorry, the 7:00 a.m. to 12:00 a.m., not
18 p.m.

19 MS. EAGAN: The Trinity Hall?

20 COMMISSIONER McLAREN: But
21 the most liberal hours, but that there would be a
22 tree buffer around the outside of the property.

23 COMMISSIONER MITTLER: With
24 the exception of New Year's.

25 COMMISSIONER McLAREN: I

1 would make an exception for New Year's to 1 o'clock,
2 excepting the first day of the year.

3 COUNTY ATTORNEY PIONTEK: Mr.
4 Chairman, just for purposes of clarification, what
5 constitutes a tree buffer?

6 MS. EAGAN: That's what I was
7 going to ask.

8 COUNTY ATTORNEY PIONTEK: One
9 tree or what size, what caliper, how many feet
10 apart, what constitutes --

11 MS. EAGAN: How big a tree.

12 COUNTY ATTORNEY PIONTEK:
13 Yeah. What constitutes a tree buffer?

14 COMMISSIONER McLAREN: An
15 evergreen, a non-deciduous that doesn't drop its
16 leaves, and I would leave it to an arborous to tell
17 me that.

18 COUNTY ATTORNEY PIONTEK:
19 Spaced how far apart, what size?

20 COMMISSIONER McLAREN: I
21 expect the trees are going to grow together. I just
22 think that this -- to plant trees along there on
23 20-foot centers will delineate the property, help
24 hold down on the noise the neighbors around it.

25 And you guys, we don't have a second.

1 So I'm out here in this tree all by myself.

2 COUNTY ATTORNEY PIONTEK: I'm
3 just trying to understand, Bill, if the motion
4 passes, how are we going to know what's sufficient
5 and what's not unless you specify what it has to be.

6 COMMISSIONER McLAREN: A
7 conifer, I think that's an evergreen, that would be
8 on 20-foot centers, and I don't care how big it is.
9 It can grow together.

10 You know, I would expect in 15 years
11 from now it would be a very nice tree buffer all the
12 way down. So I don't want to be horrible and say you
13 got to plant 6-inch trees. I understand they would
14 be trees that would grow.

15 So a 2-inch caliper tree that's going
16 to grow together and some kind of an evergreen tree.
17 They don't all have to be the same. I would think
18 that he, like I say, would be advantageous to him to
19 have a tree buffer around it.

20 MS. EAGAN: How tall do you
21 want the trees?

22 COMMISSIONER McLAREN: A
23 caliper is going to determine how tall they are. So
24 a 2-inch tree is a pretty small tree that will
25 eventually grow shut.

1 COMMISSIONER WILLETTE: I do
2 have a problem with the trees for all the reasons
3 mentioned earlier that we would be putting a buffer
4 around land that is not -- does not have any people
5 living nearby. Plus the dead tree situation. Plus
6 I think we're putting too much -- we're asking too
7 much financially of this business by asking them to
8 put trees around this whole property.

9 COMMISSIONER MITTLER: I
10 would agree with that as it stands. I mean, if you
11 wanted to go in and say the property that's
12 bordering the Briggs' and maybe even that other
13 house that along Sunny Road, I could get on-board
14 with that. But the property to the left and the
15 Eckelkamp property at the top there would we have no
16 clue when, how, or what its use will ever be. I
17 don't agree with bordering those at this time.

18 CHAIRMAN EVANS: Okay. We
19 have a motion on the floor. Do we have a second?

20 (NONE)

21 We have no second, so the motion dies
22 for lack of a second. Back to discussion.

23 Again, I think what we apparently do
24 have a consensus on is that hours should be the same
25 as for those we provided here and for Trinity Hall,

1 and also the consensus is there should be no limit
2 on the number of events permitted.

3 And again, recognizing that the CUP is
4 for the entire property.

5 Jim?

6 COMMISSIONER GRUTSCH: Mr.
7 Chairman, I would like to make a motion for File
8 240041. Along with the hours as stated in the
9 previous motion where they stay the same as the
10 hours for Trinity Hall, those would apply to the
11 entire site, including the addition of New Year's
12 Eve and the other condition, I would like to make is
13 that they provide a 6-foot privacy fence around the
14 three sides of the north, the west, and south. That
15 would leave Sunny Road open.

16 CHAIRMAN EVANS: Do we have a
17 second?

18 COMMISSIONER McLAREN: I'll
19 second it, but I would still prefer trees.

20 CHAIRMAN EVANS: And again,
21 this would be a motion to move this to Unfinished
22 Business. So we have a motion and a second to move
23 File 240041 to Unfinished Business with the stated
24 conditions, 6-foot fence, hours, except for New
25 Year's Eve.

1 All in favor signify by saying aye.

2 (MULTIPLE NAY VOTES.)

3 Scottie, will you please take a roll
4 call vote.

5 MS. EAGAN: Bill Evans?

6 CHAIRMAN EVANS: Nay.

7 MS. EAGAN: Jim Grutsch?

8 COMMISSIONER GRUTSCH: Yes.

9 MS. EAGAN: Dan Haire?

10 COMMISSIONER HAIRE: Nay.

11 MS. EAGAN: Mike Klenke?

12 COMMISSIONER KLENKE: Nay.

13 MS. EAGAN: Dave Laramore?

14 COMMISSIONER LARAMORE: Aye.

15 MS. EAGAN: Bill McLaren?

16 COMMISSIONER McLAREN: Aye.

17 MS. EAGAN: Karl Mittler?

18 COMMISSIONER MITTLER: Nay.

19 MS. EAGAN: Stan Voss?

20 COMMISSIONER VOSS: Nay.

21 MS. EAGAN: Debbie Willette?

22 COMMISSIONER WILLETTE: Nay.

23 CHAIRMAN EVANS: The motion

24 is defeated. We are back to discussion.

25 COMMISSIONER VOSS: Is there

1 any way we could combine that fence with the trees.
2 I think I'd be on-board a little more. I think that
3 fence is going to cost a heck of a lot more than
4 planting some trees.

5 It seems like there's just a couple of
6 areas to me, if I'm understanding it right, that the
7 fence would work better than the trees. Maybe the
8 trees on all the way around it may be a little
9 excessive too.

10 So maybe we need to fine tune it a
11 little bit, see if we can't get together, and say
12 pick out the spots. It seems like the one gentleman
13 had a good point where it looks like you could drive
14 right into that other property off that parking lot.

15 That's a good spot for a fence for a
16 ways and in both sides where they couldn't. And
17 then maybe start planting some trees at different
18 areas.

19 COMMISSIONER MITTLER: I
20 think the fence absent the privacy -- the 6-foot
21 privacy fence absolutely devalues the property, and
22 I also think if I am Briggs or Ecklekamps with
23 futuristic potential homes there, I think that's an
24 eyesore.

25 I don't know that I look at a privacy

1 fence any different than I would look at that barn
2 because you're still going to see the barn up above
3 that 6-foot fence. So I think that does -- my
4 opinion, does absolutely nothing.

5 COMMISSIONER VOSS: Well, how
6 do you keep from getting onto there then?

7 COMMISSIONER MITTLER: I
8 mean, it would stop the people crossing, yes, but if
9 the eyesores are the concern isn't going to fix.

10 COMMISSIONER VOSS: Gated
11 nice wrought iron style pieces of -- I'm just...

12 COMMISSIONER MITTLER: I
13 know. Again, but when you're talking about starting
14 and stopping --

15 (OVERTALK)

16 COMMISSIONER VOSS: Or
17 they're driving straight through there.

18 COMMISSIONER MITTLER: Yeah.

19 COMMISSIONER HAIRE: Can I
20 offer a suggestion to park the baby?

21 COMMISSIONER McLAREN:
22 Please.

23 COMMISSIONER HAIRE: And
24 basically everything was said earlier except for the
25 fencing issue. I think I hear a variety of people

1 discussing the people that live down below, I agree
2 with you that we should have some maybe protection.

3 If we just put the treeline on the
4 bottom section that affects the homes there, leave
5 everything else open, would that satisfy what we
6 want to accomplish?

7 COMMISSIONER WILLETTE: Are
8 you talking about all of the property -- all over
9 the property line, including that jag by the lake?

10 COMMISSIONER HAIRE: Yeah,
11 right in here.

12 COMMISSIONER WILLETTE: Yeah.

13 COMMISSIONER McLAREN: What's
14 the white spot by that what keeps the property from
15 being square?

16 COMMISSIONER HAIRE: I'm not
17 sure. I don't know.

18 COMMISSIONER GRUTSCH: Where
19 that jog is in the property line, that is the crest
20 where it comes out onto Sunny. That's the crest of
21 the hill, and maybe at one time somebody wanted to
22 -- or a farmer may have wanted an entrance going in
23 or out of there.

24 COMMISSIONER McLAREN: No,
25 no. It looks like a roofline.

1 MS. EAGAN: I think it's a
2 shed.

3 COMMISSIONER McLAREN: I'm
4 asking if it's somebody's house, but I don't see a
5 road there.

6 FEMALE AUDIENCE MEMBER: I
7 live there. Do you want to ask me? That's my home.

8 COMMISSIONER HAIRE: We can't
9 at this time.

10 FEMALE AUDIENCE MEMBER:
11 Okay.

12 COMMISSIONER WILLETTE: Can
13 we ask Mr. Briggs to come back up, or is it too
14 late?

15 CHAIRMAN EVANS: It's too
16 late.

17 COMMISSIONER McLAREN: Well,
18 it's not if we table it and take it back up the next
19 time if we have questions.

20 COMMISSIONER GRUTSCH: You
21 have to make a motion and pass it before you can do
22 that.

23 CHAIRMAN EVANS: Mark, would
24 I be correct as we could table it, but the public
25 hearing has already ended. So we could bring it

1 back for discussion, --

2 COUNTY ATTORNEY PIONTEK:

3 Correct.

4 CHAIRMAN EVANS: -- but you
5 cannot have additional witnesses?

6 COUNTY ATTORNEY PIONTEK:

7 Correct.

8 COMMISSIONER HAIRE: Mark,
9 can we keep it open for a period of time?

10 COUNTY ATTORNEY PIONTEK:

11 Well, the public hearing portion has already ended.

12 COMMISSIONER HAIRE: Okay.

13 COUNTY ATTORNEY PIONTEK: So
14 you can table it and bring it up for discussion at
15 another meeting, but you're not going to have
16 additional testimony.

17 COMMISSIONER HAIRE: All
18 right.

19 CHAIRMAN EVANS: All right.
20 We're stuck between no fence, no wooden fence, a
21 tree fence or a wooden and a tree fence. Anybody
22 want to take a shot?

23 COMMISSIONER McLAREN: I
24 personally think that there's more decay and
25 problems with a wood fence than there is with

1 anything else, and I think it accomplishes less of
2 what my ultimate goal would be to do a little bit of
3 eliminating sound and light.

4 That's my goal, eliminate sound and
5 light.

6 COMMISSIONER HAIRE: And
7 aesthetically, I think that would be more attractive
8 along there.

9 COMMISSIONER GRUTSCH: And I
10 understand that, but the gentleman that submitted a
11 statement to us and then testified to us is the one
12 that brought up a privacy fence. He didn't want
13 plantings or anything else, just a privacy fence.

14 CHAIRMAN EVANS: So right now
15 we agree on what the hours would.

16 MS. EAGAN: I do have a
17 question on that.

18 CHAIRMAN EVANS: All right,
19 Scottie.

20 MS. EAGAN: With the
21 exception of New Year's, do we just want to say with
22 the exception of New Year's or do we want to say
23 it's open till 1:00 a.m. or do we want to put a time
24 on it?

25 CHAIRMAN EVANS: On New

1 Year's, I would say put a time on New Year's and
2 exception to 1:00 a.m., I think is what was
3 discussed. Other than that, the existing hours
4 would stay the same.

5 MS. EAGAN: All right.

6 CHAIRMAN EVANS: Again, for
7 ticketed events for the entire property as opposed
8 to non-ticketed events, which would have different
9 hours.

10 Any further discussion?

11 (NONE)

12 Chair would entertain a motion.

13 COMMISSIONER GRUTSCH: I'll
14 make one more swing at it.

15 Mr. Chairman, I make a motion for File
16 240041. The hours would be the same as discussed
17 previously, and I would modify my previous
18 recommendation to only having a privacy fence on the
19 south property line to shield the two existing
20 residences.

21 CHAIRMAN EVANS: We have a
22 motion. Do we have a second?

23 (NONE)

24 Do we have a second?

25 COMMISSIONER MITTLER: Mr.

1 Chairman, I would second that.

2 CHAIRMAN EVANS: Okay. We
3 have a motion and a second to move File 240041 to
4 Unfinished Business with the conditions again of the
5 hours as stated with the exception of New Year's,
6 which would be 1:00 a.m., and 6-foot privacy fence
7 on the south side of the property.

8 COMMISSIONER WILLETTE: I'd
9 like to make sure that --

10 CHAIRMAN EVANS: We have a
11 motion and a second.

12 COMMISSIONER GRUTSCH: You
13 can't --

14 CHAIRMAN EVANS: You want to
15 clarify.

16 COMMISSIONER WILLETTE: We
17 can't have --

18 COMMISSIONER GRUTSCH: You
19 can't have discussion with a second.

20 COMMISSIONER WILLETTE: I do
21 want to clarify something.

22 CHAIRMAN EVANS: You can --
23 I'll let her clarify.

24 COMMISSIONER GRUTSCH: Okay.

25 COMMISSIONER WILLETTE: Is

1 that actually south, because the person representing
2 the Ecklekamps mentioned that the part above was
3 west?

4 COMMISSIONER GRUTSCH: It is
5 southbound.

6 COMMISSIONER WILLETTE: It is
7 south, all right.

8 CHAIRMAN EVANS: Okay. We
9 have a motion and a second. I think I just stated
10 the conditions. All in favor signify by saying aye.

11 COMMISSIONER McLAREN: Aye.

12 COMMISSIONER KLENKE: Aye.

13 CHAIRMAN EVANS: All opposed
14 nay.

15 (MULTIPLE NAYS)

16 CHAIRMAN EVANS: Scottie,
17 will you please take a roll call vote.

18 MS. EAGAN: Bill Evans?

19 CHAIRMAN EVANS: Nay.

20 MS. EAGAN: Jim Grutsch?

21 COMMISSIONER GRUTSCH: Aye.

22 MS. EAGAN: Dan Haire?

23 COMMISSIONER HAIRE: Nay.

24 MS. EAGAN: Mike Klenke?

25 COMMISSIONER KLENKE: Nay.

1 MS. EAGAN: Dave Laramore?

2 COMMISSIONER LARAMORE: Aye.

3 MS. EAGAN: Bill McLaren?

4 COMMISSIONER McLAREN: Aye.

5 MS. EAGAN: Karl Mittler?

6 COMMISSIONER MITTLER: Aye.

7 MS. EAGAN: Stan Voss?

8 COMMISSIONER VOSS: Nay.

9 MS. EAGAN: Debbie Willette?

10 COMMISSIONER WILLETTE: Nay.

11 MS. EAGAN: There are only

12 four.

13 CHAIRMAN EVANS: I'm sorry?

14 MS. EAGAN: There are only

15 four yeses.

16 CHAIRMAN EVANS: All right.

17 The motion is -- did not carry. So

18 we're back to further discussion.

19 COMMISSIONER LARAMORE: What

20 if instead of a fence on the south side, you put

21 trees on the south side?

22 COMMISSIONER HAIRE: Well,

23 that's kind of one of the main reasons why I didn't

24 -- Bill convinced me of his trees. You did a good

25 job.

1 COMMISSIONER MITTLER: So
2 you're only end of it is the trees versus a fence?

3 COMMISSIONER HAIRE: Yes.

4 COMMISSIONER GRUTSCH: Want
5 me to make that motion? All right.

6 COMMISSIONER KLENKE: All
7 right. So we're back to trees all the way around?

8 COMMISSIONER HAIRE: No, just
9 trees on the south side.

10 COMMISSIONER KLENKE: Just on
11 the south side.

12 COMMISSIONER McLAREN: The
13 trees between the two lakes. How's that?

14 COMMISSIONER HAIRE: Yes, on
15 that side?

16 COMMISSIONER McLAREN: On
17 that side of the property.

18 COMMISSIONER LARAMORE: And I
19 think that my question is I don't where that
20 property line is on the dam. I know it's not a good
21 idea to plant trees on a dam.

22 COMMISSIONER McLAREN: I
23 think there's already trees on that dam, as it looks
24 to me.

25 COMMISSIONER KLENKE: Yeah,

1 it looks there is a few. I don't know what size
2 they are.

3 COMMISSIONER McLAREN: And if
4 they're already there, there's not any reason to
5 plant any others, but you are correct.

6 COMMISSIONER LARAMORE: All
7 right.

8 COMMISSIONER GRUTSCH: It
9 does appear there's adequate screening there below
10 the dam.

11 COMMISSIONER McLAREN: The
12 dam itself provides some screening.

13 COMMISSIONER GRUTSCH: Yeah,
14 for the most...

15 CHAIRMAN EVANS: I think
16 we're at the point to where we can -- anybody else
17 want to make a motion? The options are we're trying
18 to get on this if we reach it.

19 COMMISSIONER WILLETTE: Yes.

20 COMMISSIONER HAIRE: Well,
21 one more clarification to the point we brought up
22 earlier, and that is how many trees, what -- some
23 kind of parameters for what the trees should be in
24 size and distance from one another.

25 MS. EAGAN: I mean, if we do

1 the -- like our buffer code will like stipulate --
2 if we go with the evergreen trees, we do evergreen
3 trees planted on, you know, 20-foot centers,
4 40-foot, 30-foot, whatever you guys want to do.

5 But if we just do evergreen, I think
6 that will then give him a range of stuff to choose
7 from.

8 COMMISSIONER HAIRE: Yeah.

9 MS. EAGAN: If you don't care
10 about height, that gives him even more options to
11 look at. But if you want this as a visual
12 obstruction, you might want to consider height.

13 COMMISSIONER McLAREN: I
14 would think in the spirit of what trying to do, I
15 would nope that somebody would not plant dwarf
16 trees. I hope that it's going to an evergreen tree.
17 It would in the, you know, the pine or spruce family
18 that fills in well, makes an attractive shaped tree,
19 and will help be a sight and sound buffer.

20 MS. EAGAN: My only thing is
21 though if you don't stipulate, --

22 COMMISSIONER McLAREN: Yeah.

23 MS. EAGAN: -- it opens it
24 up, and then that makes our job even harder because
25 then we'll go out there and you will have these

1 varying.

2 COMMISSIONER HAIRE: And
3 there's no -- it's hard to enforce what we do. Then
4 you might as well not have anything. I think we
5 have to put parameters by it sometime, and I have no
6 problem with the proper -- if you want to define the
7 height as what additional ones. That would be fine
8 with me.

9 COMMISSIONER GRUTSCH: Put
10 buffer A.

11 COMMISSIONER KLENKE: Could
12 we put a stipulation on how long he's got to
13 accomplish this?

14 COMMISSIONER McLAREN: It
15 would be a year --

16 MS. EAGAN: It'd be a year.

17 COMMISSIONER McLAREN: -- if
18 they are going to plant a tree.

19 COMMISSIONER HAIR: Under our
20 normal parameters, yeah.

21 CHAIRMAN EVANS: We can't
22 stipulate how high they have to be in a certain
23 period of time. So which --

24 COMMISSIONER KLENKE: Just
25 make a --

1 CHAIRMAN EVANS: So it's --
2 yeah, maybe it's a buffer, but not for five years.

3 MS. EAGAN: So what we
4 typically say is at maturity. And then when they
5 present to us what they're going to plan, it will
6 have on the sheet how tall in Missouri typically
7 those plants get -- or trees.

8 COMMISSIONER HAIRE: That's
9 great. I think that's great.

10 COMMISSIONER McLAREN: Well,
11 we have it here on we adopted August 26, 2014
12 defined a typical opaque to screen. And I would say
13 it would be that there's two choices.

14 I would say it would be the Number 31
15 that's all evergreen trees stagger planted with
16 branches touching the ground.

17 MS. EAGAN: So that's fine.
18 His type of activity wouldn't necessarily need an A,
19 but if you want to do an A --

20 COMMISSIONER McLAREN: Well,
21 that's the only one that's evergreen trees. The
22 other ones look like deciduous trees.

23 MS. EAGAN: True. I'm just
24 saying if you do that, that's how this is meant to
25 be. That's a full opaque screen. There's nothing

1 to see through it. They have to grow together,
2 which is fine if that's what you want.

3 COMMISSIONER McLAREN: Well,
4 that's personally what I've been trying to lobby for
5 this whole time to protect that homeowner that's
6 there.

7 COMMISSIONER GRUTSCH: The
8 ultimate goal is to have then a solid wall of trees?

9 CHAIRMAN EVANS: I think
10 we're reaching the point in time we can make another
11 motion to see if we can get it through. Otherwise,
12 the option is to -- actually two options really, is
13 we can't move tonight, but to table it if we want to
14 let it sit for a while and look at the options.

15 So the Chair would entertain a motion.

16 COMMISSIONER KLENKE: Can I
17 just one more thing?

18 CHAIRMAN EVANS: Sure.

19 COMMISSIONER KLENKE: So
20 would it be wrong then to put in here that should
21 the areas to the north or the west develop at that
22 time, they would have to put up a treeline to cover
23 all the way around?

24 COMMISSIONER McLAREN: I
25 don't know how we would do that.

1 COMMISSIONER KLENKE: I'm
2 just asking.

3 COMMISSIONER McLAREN: I
4 mean, I think it would be a great thing.

5 COMMISSIONER KLENKE: Yeah.

6 COMMISSIONER McLAREN: But I
7 don't think we --

8 CHAIRMAN EVANS: No, I'm
9 seeing Mark shake his head no.

10 COUNTY ATTORNEY PIONTEK: No,
11 no.

12 COMMISSIONER KLENKE: Okay.

13 CHAIRMAN EVANS: Again, it
14 gets into what's going to happen in the future and
15 when is that future, what will they do.

16 MS. EAGAN: And at that
17 point, they're going to know what's here. So
18 they're building to it. It's not this winery so
19 that's coming to them.

20 COMMISSIONER HAIRE: Okay.
21 Well, try it one more time?

22 COMMISSIONER McLAREN: Let
23 the other guys see the buffer.

24 COMMISSIONER HAIRE: Oh,
25 yeah.

1 MS. EAGAN: We also stipulate
2 that what Dan was fine as it is. Otherwise, we're
3 going to make them do it across the whole property.

4 COMMISSIONER MITTLER: She
5 just ran the dimensions for us. And just the Briggs
6 property line stopping at the dam, and then the 412
7 feet she has highlighted up there. Twenty foot on
8 centers. That's 50 trees he's going to have to buy
9 and plant, just on that -- those two spots. That's
10 a pretty large --

11 COMMISSIONER VOSS: That's
12 only one.

13 COMMISSIONER MITTLER: She
14 did 575 on the lower part.

15 COMMISSIONER VOSS: Yeah.

16 MS. HOLDMEIER: I have to
17 clear them out, each one.

18 MS. EAGAN: So you said
19 that's just the Briggs property, not the dam,
20 correct?

21 COMMISSIONER MITTLER:
22 Correct.

23 MS. EAGAN: Okay.

24 MS. HOLDMEIER: I just ran
25 the property line of Briggs.

1 COMMISSIONER MITTLER: It's
2 right at 990 feet.

3 CHAIRMAN EVANS: All right.
4 Would anyone care to make a motion?

5 COMMISSIONER WILLETTE: So,
6 Karl, are you suggesting that is a large financial
7 investment?

8 COMMISSIONER MITTLER: I
9 haven't bought a tree in a long time, but buying 50
10 trees seems like a hefty, hefty investment.

11 COMMISSIONER WILLETTE: I
12 think so too.

13 COMMISSIONER LARAMORE: I
14 don't know if it would be any more than a fence.

15 COMMISSIONER HAIRE: I mean,
16 yeah. Both of them would be a hefty investment.

17 COMMISSIONER McLAREN: I make
18 a motion that we table this file and think about it
19 and readdress next month. There's a bit more
20 contention than anything we've done for a long time.

21 COMMISSIONER KLENKE: I'll
22 second that.

23 CHAIRMAN EVANS: We have a
24 motion and a second to table File 240041. All in
25 favor signify by saying aye.

1 COMMISSIONER VOSS: Aye.
2 COMMISSIONER McLAREN: Aye.
3 COMMISSIONER WILLETTE: Aye.
4 COMMISSIONER GRUTSCH: Aye.
5 CHAIRMAN EVANS: Aye.
6 COMMISSIONER KLENKE: Aye.
7 COMMISSIONER HAIRE: Aye.
8 COMMISSIONER MITTLER: Aye.
9 COMMISSIONER LARAMORE: Aye.
10 CHAIRMAN EVANS: Opposed?
11 (NONE)

12 The motion is carried.
13 That moves on to Preliminary Plats. We
14 have none.

15 Planning and Zoning Commission Forum.
16 Anything the Commissioners wish to discuss?
17 (NONE)

18 If not, we'll move onto the Planning
19 Director's Report.

20 MS. EAGAN: We'll have one
21 item on the agenda next month. It is this one.

22 Other than that, we did have a public
23 hearing with the County Commission regarding
24 shipping containers. I'm just waiting to have
25 either them decide what they want to do or have a

1 working session with me to then eventually get this
2 out. I'm hoping within the next few meetings to get
3 with them to kind of figure out if we're going to
4 pass at this or they're going to make amendments to
5 it.

6 Other than that, we have nothing.

7 CHAIRMAN EVANS: We have
8 nothing. Thank you.

9 If there's nothing else, the Chair
10 would entertain a motion to adjourn.

11 COMMISSIONER McLAREN: I'll
12 make a motion to adjourn.

13 COMMISSIONER KLENKE: Second.

14 CHAIRMAN EVANS: We have a
15 motion and a second to adjourn. All in favor
16 signify by saying aye.

17 COMMISSIONER VOSS: Aye.

18 COMMISSIONER McLAREN: Aye.

19 COMMISSIONER WILLETTE: Aye.

20 COMMISSIONER GRUTSCH: Aye.

21 CHAIRMAN EVANS: Aye.

22 COMMISSIONER KLENKE: Aye.

23 COMMISSIONER HAIRE: Aye.

24 COMMISSIONER MITTLER: Aye.

25 COMMISSIONER LARAMORE: Aye.

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CHAIRMAN EVANS: Opposed?

(NONE)

We are adjourned.

(THEREUPON, THE PROCEEDINGS
CONCLUDED AT 8:42 P.M.)

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CERTIFICATE OF REPORTER

STATE OF MISSOURI)
) SS
COUNTY OF FRANKLIN)

I, PATSY A. MAYBERRY, Professional Court Reporter and Notary Public within and for the State of Missouri, before whom the foregoing proceeding was taken, do hereby swear that: the aforementioned was held at the time and in the place previously described; the witness whose testimony appears in the foregoing transcript was duly sworn by me; the proceedings were taken down in stenographic notes by me and transcribed by me, or under my supervision, to the best of my ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this testimony was taken; further that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action; and that the aforementioned represents a true and accurate transcript of said proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand.

Patsy A. Mayberry, Court Reporter
Notary Public, State of Missouri
My Commission Expires: September 14, 2026